

1 MR. AARON L. COOPER E-28703  
 2 K.V.S.P. - ASU 2-159  
 3 P.O. BOX 5102  
 4 DELANO, CA. 93216  
 5 IN PRO-PER

FILED  
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 CLERK'S OFFICE, NORTHERN DISTRICT OF CALIFORNIA

6 UNITED STATES DISTRICT COURT for the  
 7 NORTHERN DISTRICT of CALIFORNIA

8 AARON L. COOPER E-28703

9 Plaintiff

10 ✓

11 Jeanne S. Woodford DIR. C.D.C.R.

12 Respondent

Case# CV.08-1516 SI

MOTION - REQUEST TO RECUSE  
 ENTIRE OFFICE OF THE  
 ATTORNEY GENERAL

13 INTRODUCTION.

14 I, Aaron L. Cooper is the Plaintiff in the above title  
 15 case number in Habeas Corpus Presently before this court.

16 This Matter has been litigated since 1995/1996 conviction and  
 17 sentence and 2004 Reversal and Retrial.

18 The litigation thus far has been without counsel on Habeas  
 19 State Proceedings.

20 Plaintiff served by Mail the Director of C.D.C.R. with  
 21 the current Habeas Corpus under the above case  
 22 number CV 08-1516 SI

23 Plaintiff is in the custody of the Director of C.D.C.R. serving  
 24 the current illegally sentence and conviction levied by  
 25 Alameda County Superior Court and California Court of Appeals.

27 ARGUMENT

28 Plaintiff presents this as his Affidavit showing /

1 claiming bias by the Office of the Attorney General.  
2

3 First and Possibly the most important fact is that  
4 the Habeas Corpus Proceedings are now in the Federal  
5 arena and the ~~the~~ not the State. During the state  
6 Proceedings Plaintiff was versus the People of California of  
7 which the Office of the Attorney General represents.

8 Now Plaintiff is versus Respondent as an individual  
9 versus an individual. The Respondent is not sued as  
10 a state entity, but as the individual holding title of  
11 Director of C.D.C.R. and this Plaintiff feels and believe  
12 that she is not under the Attorney General's protection or  
Representation.

13 The bias that is alleged by Plaintiff is the financial  
14 behemoth that the Office of the Attorney General is with it  
15 man power against a pro per petitioner. For the Attorney  
16 General the representative of the State of California to  
17 bring to bear all the resources and man power against a  
18 Federal writ petitioner is and can only be seen as a  
19 Elephant stepping on a blade of grass.

20 Especially when petitioner is no longer versus the California  
21 State or the United States per se.

22 Plaintiff understands that this is a novel request in this  
23 type of proceeding, also by the scarcity of case law on this  
24 topic. But Petitioner believes that there is a difference  
25 between the State of California and the Director of C.D.C.R.  
26 and if the difference is also viewed by this court then  
27 this claim by Plaintiff is valid and entitled to relief  
28 from the brute force of the Goliath Office of the Attorney

1 General bringing that office with all it man power against  
 2 Petitionee blocking Petitioner access to Due Process of  
 3 the Law which is a Constitutional Right.

4 Plaintiff believes that the Director of C.D.C.R. the  
 5 Properly named Respondent in this Habeas action should  
 6 be personally responsible for the necessary responses to  
 7 the Habeas Corpus case #CV 08 1516 by either personally  
 8 responding or by using Personal funds to hire an attorney  
 9 outside the Office of the Attorney General, State funds  
 10 should be not used also by Director of C.D.C.R. because  
 11 the California State funds is what creates the bias against  
 12 Petitioner.

13 In Part Plaintiff Relys upon Penal Code 1424 in that Recusal  
 14 is Warranted when Bias is Proven.

16 And in Part upon 28 USC § 455 and 144 as they relate to  
 17 to Recusal to correct a Proven Bias against the Office of  
 18 Attorney General.

19 Petitioner Prays that this Honorable Court grants this  
 20 Request of Recusal to ensure that this Plaintiff can call upon  
 21 his constitutional Right of Due Process of Law to gain relief  
 22 from the Miscarriages of Justice suffered in the lower court  
 23 Proceedings without the Attorney General impulsive oppositional  
 24 Reaction to this Plaintiff.

26 I declare that the foregoing is true and correct to my  
 27 belief and knowledge.

28 Dated APRIL 6, 2008

Aaron L. Cooper E28703  
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 IN PRO. PER

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32¢

United States District Court  
For the Northern District of California

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